

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1312 of 2023

Arising Out of PS. Case No.-466 Year-2020 Thana- SAHPUR District- Patna

Manjeet Kumar Mishra Son Of Vijay Kumar Mishra Resident Of Janki Bhawan, Near Janki Das Bagicha, Mohalla - Gewal Bigha, Police Line Road, P.S.- Rampur, District - Gaya, Pin - 823001.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Arya Daughter Of Sri Naresh Kumar Ojha Resident Of Village And Post - Ganghara, P.S.- Shahpur, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A)/34 of the Indian Penal Code.

Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

Learned counsel for the petitioner submits that the petitioner is an innocent person and has committed no offence and has falsely been implicated in the present case at the behest of the maternal uncle of the petitioner, from whom there is a civil suit going on for the maternal property. Petitioner has neither made any dowry demand nor drove her out of her



matrimonial home nor tormented her over the demand of dowry. He is still ready to keep her with full honour and dignity. The petitioner has relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar**, reported in **2006 (3) PLJR 182**. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Shahpur P.S. Case No. 466 of 2020 subject to the condition as laid down under Section 438 (2) of the Cr.P.C..

If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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